

REMARKS

In the above-referenced Office Action the Examiner objected to the drawings, stating, "The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the claimed electronic circuit disposed on a body portion of the EOT device, as recited in part (c) of claim 1; the means for sensing a magnetic field, claim 14, which is a hall effect switch, claim 14; and the power supply being in the form of a battery, as recited in instant claims 19 and 20, must be shown or the features must canceled from the claims. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121 (d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as 'amended.' If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to

show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either 'Replacement Sheet' or 'New Sheet' pursuant to 37 CFR 1.121 (d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance."

Attached hereto is a replacement sheet of drawing (Figure 7) showing the omitted parts the Examiner required. Accordingly, the examiner is respectfully requested to withdraw his objection to such drawings.

Next the Examiner rejected Claims 1-20 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In support of this rejection the Examiner stated, "The wordings in part (c) claim 1 are not clear. Specifically, it is not clear as to the claimed relationship between the associated wiring and the positioning of the electronic circuit, as recited in part (c) of claim 1. Proper correction is required.

Claims 2-20 are also indefinite because they depend from an indefinite base claim."

Claim 1 part (c) has been amended to more specifically claim the invention in a more clear manner by eliminating the specific portion of the claim which was unclear and by adding a new claim 21. Therefore, the Examiner is respectfully requested to withdraw his rejection of Claims 1-19 under 35 U.S.C. 112, second paragraph.

Applicant wishes to thank Examiner Le for the Courteous telephone interview held on June 8, 2007 with respect to this application.

Claims 1-2, 4-7, 10-11 and 17-20 (as best understood), by the Examiner, were rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos (US 5,873,638).

Examiner Le stated, "Bezos discloses an EOT device that can be easily installed on and removed from a railway vehicle; wherein, the EOT device associated with a control system includes an electronic circuit unit 20 mounted in battery compartment of 17 of the EOT. The electronic circuit unit 20 of Bezos associates with light element 15 and includes connector 26 designed to mate with a corresponding connector on the associated cable/wiring on an associated railway vehicle.

Regarding the instant claimed associated railway vehicle being a model train or a reduced-scale train, it would have been obvious to one skilled in the art to configure the structure of Bezos in a reduced-scale for use on reduced-scale railway

vehicles so as to enhance the realistic look and feel of the reduced-scale railway vehicles. Note also that when the structure of Bezos is configured for use on the reduced-scale railway vehicles that have reduced or simplified functionalities as comparing to their resembling full-scale railway vehicles, it would have been obvious to one skilled in the art to also correspondingly reduce or simplify the functionalities of Bezos' EOT device so as to be consistent with the existing functionalities of the reduced scale railway vehicles, for proper operations.

Regarding the size of the electronic circuit being small enough, as recited in instant claim 2, note that the electronic circuit unit of Bezos, as modified, is small enough to be mountable on a truck portion as claimed.

Regarding the instant claimed microcontroller, as recited in instant claim 4, consider microprocessor 36 of Bezos.

Regarding the instant claimed number of contacts being up to eight, as recited in instant claim 12, note that such limitation is broad enough to cover a range of zero to eight contacts; therefore, the instant claimed broad limitation is considered met by Bezos, as modified.

Regarding the instant claimed control system being in the form of analog or digital, as recited in instant claims 17-18, note that electrical signals in the forms of analog and digital

are well known alternatives (Official Notice is taken), and it would have been obvious to one skilled in the art to configure the system of Bezos, as modified, 'to operate with either analog or digital signals so as to be compatible with the type of signals of the associated existing train devices."

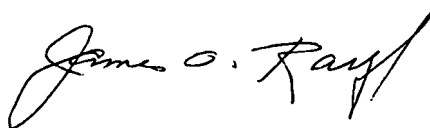
Claim 1 has now been amended to claim the electronic circuit being disposed only on the removable truck portion of such model railway vehicle. This limitation is clearly neither taught or suggested by the cited reference. Consequently, The examiner is respectfully requested to withdraw his rejection of Claims 1-2, 4-7, 10-11 and 17-19 under 35 U.S.C. 103(a) as being unpatentable over Bezos (US 5,873,638).

Next, the Examiner rejected Claims 14-15 under 35 U.S.C. 103(a) as being unpatentable over Bezos (US 5,873,638) in view of in view of Miller (US 5,174,216). Further, the Examiner rejected Claim 16 under 35 U.S.C. 103(a) as being unpatentable over Bezos (US 5,873,638) in view of Young et al (US 2003/0155470). Additionally, Claims 3,8 and 10-13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos (US 5,873,638) in view of Stan Ames et al's guide to DCC, pages 29-30. Finally, Claim 9 was rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art as applied to claim 8 above, and further in view of Wolf (US 2003/0015626). Each of

these rejected claims depend from Amended Claim 1 and are therefore believed allowable for the reasons advanced supra.

In the event the Examiner has further difficulties with the allowance of the application, he is invited to contact the undersigned attorney by telephone at (412)380-0725 to resolve any remaining questions or issues by interview and/or by Examiner's amendment as to any matter that will expedite the completion of the prosecution of the application.

Respectfully submitted,

A handwritten signature in cursive script, reading "James O. Ray, Jr.", with a long, sweeping horizontal line extending from the end of the signature.

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